

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

PAUL ARGEN and SURENDER
MALHAN,

Plaintiffs,

v.

DAVID KATZ,

Defendant.

Civil Action No.

18-963 (SDW) (LDW)

ORDER

THIS MATTER having recently been appealed to the United States Court of Appeals for the Third Circuit, and

WHEREAS on January 29, 2020, the Court directed the parties to submit letters proposing a schedule for discovery on plaintiffs' sole remaining claim (ECF No. 69); and

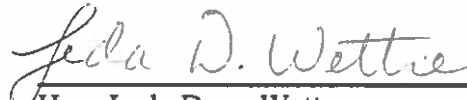
WHEREAS on February 4, 2020, plaintiffs filed a notice of appeal from the Court's January 28, 2020 order denying plaintiffs' motion for injunctive relief (ECF No. 71); and

WHEREAS on February 10, 2020, defense counsel inquired about the need for a proposed discovery schedule given plaintiffs' notice of appeal (ECF No. 73); and

WHEREAS "[t]he filing of a notice of appeal . . . confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal[.]" *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982);

IT IS on this day, February 13, 2020:

ORDERED that the Court's request for letters regarding discovery is stayed pending plaintiffs' appeal before the Third Circuit.



Hon. Leda Dunn Wettre
United States Magistrate Judge